



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/687,139	10/16/2003	Herbert A. Little	555255012604	8237

7590 07/16/2008
David B. Cochran, Esq.
JONES DAY
North Point, 901 Lakeside Ave
Cleveland, OH 44114

EXAMINER

LASHLEY, LAUREL L

ART UNIT	PAPER NUMBER
----------	--------------

2132

MAIL DATE	DELIVERY MODE
-----------	---------------

07/16/2008

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/687,139	Applicant(s) LITTLE ET AL.	
	Examiner LAUREL LASHLEY	Art Unit 2132	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 26 February 2008.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-22 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-22 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

Response to Arguments

1. Applicant's arguments presented in the Pre-Appeal Request for Review on 02/26/2008 with respect to claims 1-22 have been considered and prosecution has been reopened. The Applicant's arguments however are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1 – 8 and 10 – 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hocker et al. in US Patent No. 5930368 (hereinafter Hocker) further in view of Dinescu, in EP 1286267 (hereinafter Dinescu).

3. For claim 1 and similar claim 12, HOCKER discloses:

A system for activating one or more security functions of a mobile device, comprising:

a) a mobile device holder; (*see Fig. 2, item 30: docking port/area*) and

b) a mobile device containing a proximity detector, (*see Fig. 1, item 10: portable device*)

wherein the proximity detector is configured to detect that the mobile device is stored in the mobile device holder (*see column 3, lines 26 – 29: upon docking...*), and the mobile device is configured to activate one or more security functions when the proximity detector detects that the mobile device is stored in the mobile device holder (*see column 3, lines 24 – 26: encryption key...; column 7, lines 1 – 2: icon 82 provide...additional security...; column 7, lines 39 – 46), but does not expressly teach* wherein the one or more security functions include deleting confidential information from a memory of the mobile device.

Dinescu however discloses wherein the one or more security functions include deleting confidential information from a memory of the mobile device (*see e.g. Abstract; [0008]; [0018]: deleting memory after a period of inactivity*).

Hocker and Dinescu are analogous art because they are from similar problem solving areas (protecting data within a portable electronic device to prevent unauthorized access to that data). At the time of the invention it would have been obvious to modify the security functions of Hocker's portable device such that it would include memory deletion as in Dinescu. The motivation for doing so would have been to provide additional security functions to maintain security of data/information stored on the mobile device.

For claim 2, HOCKER discloses:

The system of claim 1, wherein the proximity detector outputs a signal when it detects that the mobile device is stored in the mobile device holder (see Fig. 7; column 8, lines 8 – 12: wake-up signal...).

For claim 3, HOCKER discloses:

The system of claim 1, wherein the proximity detector is polled by a processor to determine whether the mobile device is stored in the mobile device holder (see column 8, lines 16 – 18).

For claim 4 and similar claim 13, HOCKER discloses:

The system of claim 1, wherein the one or more security functions restrict access to select information stored in, received at, or inputted to the mobile device (see column 3, lines 24 – 26; column 7, lines 39 – 46).

For claim 5 and similar claim 14, HOCKER discloses:

The system of claim 1, wherein the one or more security functions restrict access to all resources of the mobile device (see column 3, lines 24 – 26; column 7, lines 39 – 46).

Art Unit: 2132

For claim 6 and similar claim 15, US'868 discloses:

The system of claim 1, wherein the one or more security functions can only be overridden by a user selected password or passphrase (see column 3, lines 24 – 26; column 4, lines 48 – 54; column 7, lines 39 – 46).

For claim 7, HOCKER discloses:

The system of claim 1, wherein the mobile device holder includes a magnet. (see Fig. 10: item 212: column 4, lines 60 – 65; column 9, lines 25 – 30).

For claim 8, HOCKER discloses:

The system of claim 1, wherein the proximity detector is a magnet detector. (see Fig. 9a, item 206; column 4, lines 60 – 65; column 9, lines 25 - 30)

For claim 10, HOCKER discloses:

The system of claim 1, wherein the proximity detector can differentiate between multiple mobile device holders. (see column 2, lines 38 – 41: address identifier...; column 3, lines 39 – 43)

For claim 11, HOCKER discloses:

The system of claim 10, wherein the one or more security functions activated can be individualized for different mobile device holders. (see column 8, lines 62 – 67: processing inquiry)

For claim 16 and similar claim 20, HOCKER discloses:

The system of claim 1, wherein the confidential information is a decrypted version of encrypted information. (see column 3, lines 24 – 26: encryption key...; column 7, lines 39 – 48)

For claim 17, HOCKER discloses:

The system of claim 16, wherein the decrypted version of encrypted information is information being displayed on a display of the mobile device when the mobile device is stored in the holder (see column 3, lines 24 – 26; column 7, lines 39 – 48: decryption...).

Art Unit: 2132

For claim 18 and similar claim 21, HOCKER discloses the system of claim 1, including one or more security functions (*see column 3, lines 24 – 26: encryption key...; column 7, lines 1 – 2: icon 82 provide...additional security...; column 7, lines 39 – 46*) but does not expressly disclose the one or more security functions include closing a data item currently being displayed.

Dinescu however discloses wherein the one or more security functions include closing a data item currently being displayed (*see [0015];[0032]*).

Hocker and Dinescu are analogous art because they are from similar problem solving areas (protecting data within a portable electronic device to prevent unauthorized access to that data). At the time of the invention it would have been obvious to modify the security function of Hocker's portable device such that it would include closing currently displayed data items as in Dinescu. The motivation for doing so would have been to provide additional security functions to maintain security of data/information stored on the mobile device.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claim 9 is rejected under 35 U.S.C. 103(a) as being unpatentable over Hocker et al. in US Patent No. 5930368 (hereinafter Hocker) and Dinescu, in EP 1286267 (hereinafter DINESCU) further in view of the admitted prior art Lygas.

Art Unit: 2132

For claim 9, HOCKER discloses a magnet detector but does not expressly disclose the magnet detector is a Hall effect magnetic proximity detector.

Lygas however does disclose a magnet detector is a Hall effect magnetic proximity detector. (see column 3, lines 42 – column 4, lines 1 – 19 and 64 – 67)

Hocker and Lygas are analogous art because they are from similar problem solving areas (establishing connection between a portable device and a base unit/holder). At the time of the invention it would have been obvious to modify the magnet detector of Hocker to a Hall effect magnetic proximity detector as in the admitted prior art of Lygas as the two are obvious variants of each other.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claim 19 and 22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hocker in US Patent No. 5930368 (hereinafter Hocker) and Dinescu, in EP 1286267 (hereinafter DINESCU) further in view Iijima in US Patent No. 4800520 (hereinafter US '520).

For claim 19 and similar claim 22, HOCKER discloses the system of claim 1, including one or more security functions (*see column 3, lines 24 – 26: encryption key...; column 7, lines 1 – 2: icon 82 provide...additional security...; column 7, lines 39 – 46*) but does not expressly disclose performing a secure garbage collection function.

Iijima however in US '520 discloses wherein the one or more security functions include performing a secure garbage collection function. (*see Title and Abstract*).

Hocker and Iijima are analogous art because they are from the same field of endeavor (use of portable electronic devices). At the time of the invention it would have been obvious to modify the security function of Hocker's portable device such that it would include performing a secure garbage collection function as in Iijima. The motivation for doing so would have been to provide additional security functions to maintain security of data/information stored on the mobile device.

Conclusion

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Li et al. in US PGPub No. 2008/0040608 discloses a security memory device and method for making same. Sutherland in US Patent No. 6292898 discloses active erasure of electronically stored data upon tamper detection.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to LAUREL LASHLEY whose telephone number is (571)272-0693. The examiner can normally be reached on Monday - Thursday, alt Fridays btw 7:30 am & 5 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gilberto Barron, Jr. can be reached on 571-272-3799. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2132

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Laurel Lashley
Examiner
Art Unit 2132

/L. L./
25 June 2008

/Benjamin E Lanier/
Primary Examiner, Art Unit 2132